IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 3158 of 2007()

C.R.NO.27/07 OF SASTHAMKOTTA EXCISE RANGE

: PETITIONER/ACCUSED

RAJEEV, S/O.SURENDRAN PILLAI,
AGED 27 YEARS, RAJESH BHAVANAM, NORTH MYNAGAPPALLY
MYNAGAPPALLY P.O., KOLLAM DISTRICT.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.ROSHEN.D.ALEXANDER

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
(THROUGH EXCISE RANGE NSPECTOR,
SASTHAMKOTTA EXCISE RANGE, KOLLAM DISTRICT.).

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3158 OF 2007

Dated this the 30th day of May, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the accused in C.R.No.27/07 of Sasthamkotta Excise Range for offences punishable under sections 55(a) and 55(i) of the Abkari Act for allegedly having been found in possession of 3.25 litres of IMFL, seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of, preferably on the same day on which it is filed bearing in mind the decision in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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